

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
Maritime Communications/Land Mobile LLC)	
And)	
Warren Havens, Environmental LLC,)	DA 10-664
Intelligent Transportation & Monitoring)	
Wireless LLC, Skybridge Spectrum)	PR Docket No. 92-257
Foundation and others)	
Petitions for Reconsideration)	FCC 97-217

To: Marlene H. Dortch, Secretary
Attention: The Commission

OPPOSITION

Maritime Communications/Land Mobile, LLC (“MCLM”), by its attorney, files its Opposition to the Application for Review (“Application”) of the Order on Reconsideration filed by Warren Havens, Environmental LLC, Intelligent Transportation & Monitoring Wireless LLC, Skybridge Spectrum Foundation, Telesaurus Holdings GB LLC, and Verde Systems LLC (collectively, “Havens”) in the above-captioned matters.

Havens does not seek review of the Order; he seeks a new rule making. Havens admits as much, on page 6 of his Application, in which he declares “what is needed in AMTS is rule making to consider current and future technology and equipment and appropriate power spectral density.” He then goes on to explain at length how the “old rules” are not applicable to current technologies. He asks the Commission to adopt an approach espoused by authors of an NTIA report.

MCLM points out that unless and until a new rulemaking is commenced and completed,-- during which time Havens would have ample opportunity to express his views,-- then the “old rules” are still the current rules, and the Commission should require Havens to obey them.

MCLM does not wish to take too much time responding to these vague assertions by Havens that somehow the Commission got it wrong years ago and has continued to err ever since then. MCLM believes the Commission acted properly and supports its past decisions.

MCLM does feel compelled to yet again defend itself against Havens’ mud-slinging. In footnote 15, Havens continues his worn-out claims that MCLM is liable for Mobex Network Services LLC. Havens knows well that MCLM purchased assets of Mobex, and not stock. The Commission approved the sale of licenses from Mobex to MCLM. Therefore, MCLM is not liable to anyone for Mobex, instead it is the new licensee of licenses once owned by Mobex.

In addition, Havens continues his railing against MCLM in his text on page 10 and the associated footnote 15, in which he accuses MCLM of “illegal operations,” “warehousing” and “multiple cases of fraud on the FCC.”

Havens has not, to MCLM’s knowledge, ever constructed a system on his AMTS licenses. Despite owning AMTS spectrum for at least 8 years, Havens can point to no instance where he has deployed a system. He has sold a few licenses to utilities here and there, such as Northeast Utilities in Connecticut. But he has not built anything anywhere. Yet Havens accuses

MCLM of “warehousing”, “illegal operations”, and “fraud”!

This is a pattern with Havens. MCLM recently pointed out to the FCC that Havens has admitted that he failed to construct anything in over a decade of ownership of his 220 MHz licenses! Havens asked for a waiver of construction deadlines, because apparently one decade is not enough to decide which system to operate: will it be intelligent transportation, Tetra, some sky-bridge in the air, or maybe something to be invented in his mind at some future point in time?

The Commission really must act to stop this nonsense. Havens is participating yet again in another auction, this time the upcoming paging auction. Does the FCC expect him to actually deploy systems or will there be more litigation?

Until the FCC steps in to stop this, we can expect more filings, and an endless stream of protests and allegations, from Havens.

Conclusion

The Commission got it right. Havens should file a Petition for Rule Making if he seeks a new set of rules to replace what he views to be the “old rules.” Havens’ character attacks on MCLM are unfounded, frivolous, and not dignified of a licensee. The Commission should reject them out of hand.

Respectfully submitted,
MARITIME COMMUNICATIONS/
LAND MOBILE, LLC

/s/ Dennis C. Brown

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Dated: June 3, 2010

DECLARATION

I declare under penalty of perjury that the foregoing is true and correct. Executed on

June 3, 2010


Sandra M. DePriest

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of June, 2010, I served a copy of the foregoing Opposition on the following person by placing a copy in the United States Mail, first-class postage prepaid:

Warren C. Havens
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/s/ Dennis C. Brown